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Patent Application
Attorney Docket No. PC11724D

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on this 1st day of February, 2006.

By

Mary C. Bickel

(Signature of person mailing)
Mary C. Bickel

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Zheng J. Li, et al. :

APPLICATION NO.: 10/650,253 : Examiner: PESELEV, ELLI

FILING DATE: August 27, 2003 : Group Art Unit: 1623

TITLE: CRYSTAL FORMS OF AZITHROMYCIN :

Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF INTERFERENCE PROCEEDING IN RELATED APPLICATIONS

Applicants hereby notify the Examiner that two related patent applications having U.S. Serial Nos. 10/652,655 and 10/650,252, respectively, are involved in an interference proceeding, Patent Interference No. 105,366 (McK), before the Board of Patent Appeals and Interferences.

Count 1 of the interference proceeding is "A composition of matter in accordance with claim 124 of Li application 10/652,655" or "a composition of matter in accordance with claim 87 of Li application 10/650,252" or "a composition of matter in accordance with claim 1 of Singer application 10/816,376."

Once the examination of the present application is completed, Applicants respectfully request that the Examiner consult with an Interference Practice Specialist (IPS) under M.P.E.P. §2307.03 to determine whether and how further action should proceed.

CONCLUSION

It is believed that no fee is required in connection with the filing of the present Notice. However, if any fees are required, the Commissioner is authorized to charge such fees to our Deposit Account No. 16-1445.

Respectfully submitted,

Date:

02/01/06

lance liu

Lance Y. Liu
Attorney for Applicant(s)
Reg. No. 45,379

Customer No. 28523
Pfizer Inc.
Patent Department, MS 8260-1611
Eastern Point Road
Groton, Connecticut 06340
(860) 686-1652